

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK  
 -----X  
 NEWTOWN SALES, INC.

USDS SDNY
DOCUMENT
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DATE FILED: 8/4/08

Plaintiff,

O R D E R

- against -

07 Civ. 9226 (NRB)

SONAX GmbH & CO. KG,

Defendant.

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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

**WHEREAS** on February 29, 2008 we dismissed this case because it had been reported to the Court that the parties had settled; and

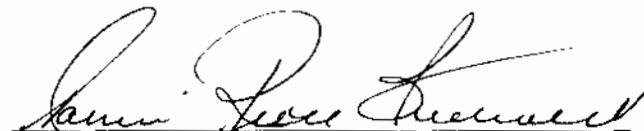
**WHEREAS** the parties had not actually finalized settlement, and this Court held a subsequent conference on May 5, 2008, at which the parties agreed to pursue final settlement negotiations; and

**WHEREAS** plaintiff has since agreed to dismiss this action with prejudice; and

**WHEREAS** defendant agrees to the dismissal, but has indicated that it intends to file a motion for fees and costs pursuant to Fed. R. Civ. P. 11(c)(2); it is hereby

**ORDERED** that this case is dismissed with prejudice. This Order is not intended to address any contemplated Rule 11 motion.

DATED: New York, New York  
 August 4, 2008

  
 NAOMI REICE BUCHWALD  
 UNITED STATES DISTRICT JUDGE